

EXHIBIT 2

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

ANDREW CARROLL,

Plaintiff,

-against-

CIVIL ACTION NO.
CV 15 – 01550 – (ADS)
(ARL)

**THOMAS C. KRUMPTER, Acting Police
Commissioner, Nassau County, New York**

**STEVEN E. SKRYNECKI, Chief of
Department, Nassau County Police
Department,**

**DANIEL P. FLANAGAN, Commanding
Officer, First Precinct, Nassau County Police
Department,**

**DECLARATION OF
ROBERT T BEAN**

**Officer BUDINILIC, Badge No. 3051, First
Precinct, Nassau County Police Department**

**JOHN DOE, Sargent First Precinct, Nassau
Police Department,**

**NASSAU COUNTY POLICE
DEPARTMENT,**

and

COUNTY OF NASSAU

Defendants

Jury Trial Demanded

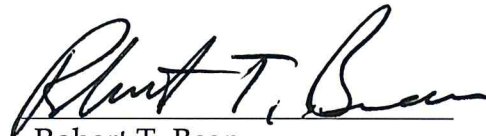
Robert T. Bean, in accordance with 28 U.S.C. § 1746, does declare under penalty of perjury following is true and correct:

1. I am the attorney for the Plaintiff in the above numbered cause.

2. On May 29, 2015 I received the annexed letter from Officer Gisondi dated May 14, 2015 containing the "Long Gun Review Record" form. (Exhibit A). This form was immediately sent to Andrew Carroll via e-mail. I received the completed form back for Mr. Carroll that same day.
3. No other forms were received by this office to be completed by Carroll or others.
4. I was unaware before receiving the Defendants' Response to Plaintiff's Motion for Preliminary Injunction that Office Gisondi had been designated the "neutral party" before which a "prompt post deprivation hearing" was to be held as per "Razzano". To this date no such hearing has been held or scheduled.
5. On September 9, 2015 the annexed letter (Exhibit B) was sent to Officer Gisondi requesting a "prompt post deprivation hearing" as per "Razzano" with the county having the burden of proof as to why the firearms should not be returned. That request was sent first class mail, as Gisondi failed to provide any e-mail address for quicker communication.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: Brooklyn, New York
September 10, 2015



Robert T. Bean

EXHIBIT 2 - A

Nassau County



Police Department

May 14, 2015

Mr. Robert T. Bean
Law Office of Robert T. Bean
3033 Brighton 3rd Street
Brooklyn, NY 11235

Be advised that this Department is in possession of long gun(s) belonging to your client, Andrew Carroll.

Please have your client complete the enclosed Long Gun Review Record form and return it to the address indicated below.

Your response will be reviewed and considered in deciding the eventual disposition of any long gun(s).

A handwritten signature in black ink, appearing to read "J. Gisoni".

Deputy Inspector Gisoni
Precinct Domestic Incident Liaison Officer

Return to:
Nassau County Police Department
First Precinct
900 Merrick Road
Baldwin, NY 11510

ATTN: Precinct Domestic Incident Liaison Officer

Nassau County



Police Department

LONG GUN REVIEW RECORD

WARNING: You may not possess a firearm if prohibited by Federal or State law. The information you provide will be used to determine whether you are prohibited under law from possessing a firearm. Certain violations of the Gun Control Act, 18 U.S.C. Section 921 et. seq., are punishable by up to 10 years imprisonment and/or up to a \$250,000 fine.

Under Penal Law 210.45, a person is guilty of making a punishable false written statement when that person knowingly makes a false statement, which he or she does not believe to be true, in a written instrument bearing a legally authorized form notice to the effect that false statements made therein are punishable.

LAST NAME <i>Carroll</i>		FIRST NAME <i>Andrew</i>		MIDDLE NAME <i>Joseph</i>	
NUMBER AND STREET ADDRESS <i>7 Belt St.</i>			TOWN <i>Bellmore</i>	STATE <i>N.Y.</i>	ZIP CODE <i>11710</i>
PLACE OF BIRTH: U.S. CITY AND STATE OR FOREIGN COUNTRY <i>East Meadow N.Y.</i>			SOCIAL SECURITY NUMBER <i>124-78-2677</i>	GENDER <input checked="" type="checkbox"/> M. <input type="checkbox"/> F.	BIRTH DATE MONTH <i>07</i> DAY <i>08</i> YEAR <i>1991</i>

Answer the following questions by checking or marking "yes" or "no" in the boxes to the right of each question.	
1a. Have you ever been convicted of a crime?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
1b. If so, what crime?	
2. Are you a subject of an Order of Protection or restraining order?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Have you ever been adjudicated mentally defective (which includes a determination by a court, board, commission, or other lawful authority that you are a danger to yourself or to others or are incompetent to manage your own affairs) OR have you ever been committed to a mental institution?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. Have you ever been convicted in any court of a misdemeanor crime of domestic violence?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5a. Are you a US citizen?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5b. If not, what is your country of citizenship?	

CERTIFICATION	
I certify that the above information is correct to the best of my knowledge.	
<i>Andrew Carroll</i> Signature	<i>5/29/15</i> Date

EXHIBIT 2-B

Law Office of Robert T. Bean
3033 Brighton 3rd Street
Brooklyn, New York 11235
718-616-1414

Cell Phone: 484-838-9464
E-Mail: RBeanlaw@aol.com

Fax: 718-368-0981

Of Counsel for
Tanya Gendelman, P. C.

9-9-15

Deputy Inspector Gisondi
Nassau County Police Department
First Precinct
900 Merrick Rd.
Baldwin, New York 11510

Re: Carroll v. Krumpster et al
Docket No.: 15-cv- 1550 (ADS) (ARL)

Dear Inspector Gisondi,

I am the attorney representing the Plaintiff Andrew Carroll in the above matter. I have just learned from the County's Response to Plaintiff's Motion for a Preliminary Injunction that you have been designated as the "neutral party" before whom a "prompt post deprivation hearing" is to be held concerning the confiscation and return of long guns. According to the *Razzano* decision, the County is to have the burden of proof with regard to retention of the firearms.

This is further to advise you that I received the enclosed letter from you on May 29, 2015. The completed form was returned to you by Mr. Carroll on June 2, 2015. I have received no other request for information from you regarding this matter. If you require additional information, please let me know. If you have an e-mail address, that would speed communications.

Please call me to schedule this hearing. I am available September 14-17 and then after September 30, 2015. Thank you for your help in this matter.

Sincerely,

Robert T. Bean

Carnell T. Foskey
Nassau County Attorney
Attn. Diane C. Petillo
Deputy County Attorney
One West Street
Mineola, New York 11501-4820